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124



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,117	11/01/2001	Dale E. Gulick	2000.051400	2421

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WILLIAMS, MORGAN & AMERSON, P.C.  
10333 RICHMOND, SUITE 1100  
HOUSTON, TX 77042

EXAMINER

KNOLL, CLIFFORD H

ART UNIT PAPER NUMBER

2112

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/045,117

**Applicant(s)**

GULICK, DALE E.

**Examiner**

Clifford H Knoll

**Art Unit**

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23, 25-27 and 29 is/are rejected.
- 7) ☒ Claim(s) 24 and 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/04/02, 10/07/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Information Disclosure Statement***

Information disclosure statement filed 10/7/02 and labeled "supplemental" by Applicant, has not been considered because references cited are duplicates of references which have already been considered pursuant to earlier filed information disclosure statement (10/4/02).

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

*Claims 1, 13, and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.*

In claims 1, 13, and 16, recitation of "the indicator configured to indicate ..." (claims 1, 13), and "means for indicating..." (claim 16) are unclear because its relationship to the management engine is not clearly established and in particular it is not clear whether it is an input or a response, nor is it clear whether a selection of modes is intended to be recited.

In claims 22 and 26 the master and slave modes are unclear as to what is being mastered or alternatively what aspect of the south bridge is being mastered.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

*Claims 1-8, 10, 12-17, and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Lindsay (US 2003/0028633).*

Regarding claims 1 and 13, Lindsay discloses the interface logic and first external bus (e.g., paragraph [0102], "via the SMBus"), an Alert Standard Format management engine configured to receive Alert Standard Format sensor data over the first external bus (e.g., paragraph [0102], "ASF sensors"); and an indicator configured to indicate a master mode or a slave mode (e.g., paragraph [0102], "push alerts to the ASD device"), wherein in the master mode, the embedded Alert Standard Format management engine is further configured to actively poll for the Alert Standard Format sensor data over the first external bus (e.g., paragraph [0102], "via polling legacy sensors").

Regarding claims 2 and 3, Lindsay also discloses a second bus interface logic for coupling to a first internal bus, wherein data from the first external bus is routable by the embedded Alert Standard Format management engine over the

Art Unit: 2112

first internal bus with an embedded Ethernet controller coupled to the first internal bus (e.g., paragraph [0102], "NIC firmware").

Regarding claim 4, Lindsay also discloses the embedded Ethernet controller is configured to route the Alert Standard Format sensor data from the embedded Alert Standard Format management engine to an external management server (e.g., paragraph [0102], "SNMP").

Regarding claim 5, Lindsay also discloses the indicator is stored in an enable register in the integrated circuit (e.g., paragraph [0104], "ASF\_ALERT").

Regarding claim 6, Lindsay also discloses a power port configured to receive a reserve power signal, wherein the reserve power signal provides reserve power to the enable register (e.g., paragraph [0049]).

Regarding claim 7, Lindsay also discloses the integrated circuit comprises a bridge, wherein the bridge further includes: a third bus interface logic for coupling to a second external bus (e.g., paragraph [0051], "PCI").

Regarding claim 8, Lindsay also discloses the bridge comprises a south bridge (e.g., paragraph [0051], "GPIO").

Regarding claim 10, Lindsay also discloses a micro controller (e.g., paragraph [0099]).

Regarding claim 12, Lindsay also discloses the embedded Alert Standard Format management engine in slave mode is configured to respond to an external Alert Standard Format master (e.g., paragraph [0102], "push alerts to the ASD device").

Regarding claim 14, Lindsay also discloses for routing the Alert Standard Format sensor data from the means for receiving Alert Standard Format sensor data to an external management server (e.g., paragraph [0102], "SNMP").

Regarding claim 15, Lindsay also discloses the means for receiving Alert Standard Format sensor data is configured to respond to an external Alert Standard Format master while in the slave mode (e.g., paragraph [0102], "push alerts to the ASD device").

Regarding claim 16, Lindsay discloses a first bus; a location for coupling to the first bus configured to receive an Alert Standard Format network interface card; and an integrated circuit, comprising a first bus interface logic for coupling to the first bus (e.g., paragraph [0102], "via the SMBus"), an Alert Standard Format management engine for receiving ASF sensor data configured to receive ASF sensor data over the first bus (e.g., paragraph [0102], "ASF sensors"); and an indicator configured to indicate a master mode or a slave mode for the Alert Standard Format management engine, wherein in the master mode, the Alert Standard Format management engine is further configured to actively poll for the ASF sensor data over the first bus (e.g., paragraph [0102], "via polling legacy sensors"), while, the Alert Standard Format management engine is not further configured to actively poll for the ASF sensor data over the first bus in the slave mode (e.g., paragraph [0102], "push alerts to the ASD device").

Regarding claim 17, Lindsay also discloses a micro controller (e.g., paragraph [0099]).

Art Unit: 2112

Regarding claim 19, Lindsay also discloses the integrated circuit comprises a bridge, wherein the bridge further includes: a third bus interface logic for coupling to a second external bus (e.g., paragraph [0051], "PCI").

Regarding claim 20, Lindsay also discloses the bridge comprises a south bridge (e.g., paragraph [0051], "GPIO").

Regarding claim 21, Lindsay also discloses the Alert Standard Format network interface card installed at the location (e.g., paragraph [0074]); and wherein the indicator of the integrated circuit indicates the slave mode in response to the presence of the Alert Standard Format network interface card (e.g., paragraph [0104], "information about each legacy sensor").

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

*Claims 8-9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsay in view of industry standard computer architectural features, as evidenced by Hobson (US 6360327).*

Regarding claims 8 and 20, Lindsay also discloses an exemplary computer system but neglects the express detail of a south bridge; however the



Art Unit: 2112

Examiner takes Official Notice that a south bridge is an industry standard feature in computer systems as evidenced by Hobson; who expressly discloses the common north bridge/ south bridge terminology in a standard computer system (e.g., Figure 1). It would be obvious to combine Lindsay with industry standard computer architecture because of the wide application conferred upon Lindsay's invention by the use of industry standard computer technology. Therefore it would have been obvious to combine an industry standard architecture with Lindsay to obtain the claimed invention.

Regarding claim 9, Lindsay also discloses wherein the first input/output bus is an SMBus (e.g., paragraph [0087]).

*Claims 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsay in view of industry standard microcontroller usage, as evidenced by Schwarz (US 4910732).*

Regarding claims 11 and 18, Lindsay also discloses a microcontroller, but does not expressly mention the particular embodiment of an 8051 controller; however the Examiner takes Official Notice that it is manifestly obvious to use an industry standard controller such as an 8051 controller to implement a microcontroller as evidenced by Schwarz (e.g., col. 1, lines 36-39). It would have been obvious to use an 8051 controller to implement Lindsay's microcontroller because 8051 is a well-known universal microcontroller for implementing a broad variety of control functions, such as network controller operations. Therefore it

Art Unit: 2112

would have been obvious to combine a widely used controller with the invention of Lindsay to obtain the claimed invention.

*Claims 22-23 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsay with inherent features evidenced by Lindsay (US 2002/0194415, herein "Lindsay-2), in view of industry standard architectural practices as evidenced by Cromer (US 6282642).*

Regarding claims 22 and 26, Lindsay discloses detecting an Alert Standard Format network interface card presence in the client computer system (e.g., paragraph [0070, "driver that manipulates the SMBus interface"). Lindsay does not expressly mention the master and slave modes responsive to the priority assertion of Lindsay's ASF network interface card; however this is an inherent feature of the SMBus, as evidenced by further description provided in Lindsay-2 in paragraph [0090] which details relevant aspects of the SMBus specification; in particular, "one device will master the bus at a giving time", and "a host is a specialized master that provides the main interface to the system's CPU".

Lindsay does not mention the master and slave modes as expressly occurring in a south bridge; however Examiner takes Official Notice that the south bridge is a device known in the industry standard and commonly used to interface disparate buses employed in the standard architecture, such as the SMBus of Lindsay. This finds evidence in Cromer who describes a computer architecture as including a south bridge (e.g., col. 4, lines 60-67, "core chipset

Art Unit: 2112

66”), which controls the SMBus (e.g., col. 8, lines 19-24). It would have been obvious to combine Lindsay with industry standard practice because, Lindsay would achieve greatest benefit and widest application in systems designed using industry standard practices. Therefore it would have been obvious to combine Lindsay with industry standard practices to obtain the claimed invention.

Regarding claims 23 and 27, Lindsay also discloses assertion of priority according to the SMBus specification and thus inherently providing an indication of either the master or slave mode (e.g., paragraph [0102], “polling”).

*Claims 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsay as applied above in claims 22 and 26, respectively, in view of Cromer.*

Lindsay does not expressly mention the south bridge responding to power management requests from the network interface card; however this feature is disclosed by Cromer. Cromer discloses south bridge responding to power management requests (e.g., col. 8, lines 24-32). It would have been obvious to combine Lindsay with Cromer, because Cromer teaches the response to requests in a power management system which is a precursor to the Alert Standard Format, as evidenced by the Alert Standard Specification, submitted by Applicant as prior art. Cromer further teaches the advantages of providing power management information held by a south bridge to the network information card to allow greater control of the power management functions of the client system

over the network. Therefore it would have been obvious to combine Cromer with Lindsay to obtain the claimed invention.

***Allowable Subject Matter***

Claims 24 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In particular, recitation in these claims renders respective parent claims definite, and thus, if incorporated into the parent claim would overcome the parent claim rejection under 35 USC 112.

The following is a statement of reasons for the indication of allowable subject matter:

These claims further limit the particular function of the master mode of the south bridge as performing polling of ASF sensors and do not appear in Lindsay, nor can it be found obvious in view of other prior art.

Loison (US 6477602) discloses detecting the presence of a network interface card, which, if present, causes other system management devices to be disabled; however, in Loison the other devices are themselves network devices which owing to their protocol can be disabled, but invention is applied only in a low power mode.

Cromer (US 6415324) discloses local management that overrides network management, which is the opposite of Applicant's claimed invention.

Art Unit: 2112

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

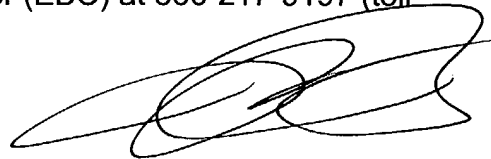
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Loison (US 6477602) and Cromer (US 6415324) are discussed supra regarding allowable subject matter. Bassman (US 6408334) discloses remote power management. Hwang (US 2002/0188875) discloses implementation of ASF in a computer system. Cheok (US 6732280) provides exemplary ACPI-compliant computer architecture. Smith (US 2002/0069353) provides an exemplary computer architecture with south bridge and SMBus implementation (e.g., Fig. 1; paragraph [0003], "SMBus useful in performing...."). Lindsay (US 2003/0014517) provides additional description relating to ASF implementation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford H Knoll whose telephone number is 703-305-8656. The examiner can normally be reached on M-F 0630-1500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2112

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MARK H. RINEHART  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

chk